

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CHRISTIAN COUNTY WATER DISTRICT)
COMPLAINANT)

VS.)

SOUTH HOPKINS WATER DISTRICT)
DEFENDANT)

CASE NO. 93-376

ORDER TO SATISFY OR ANSWER

South Hopkins Water District ("South Hopkins") is hereby notified that it has been named as defendant in a formal complaint filed on October 7, 1993, a copy of which is attached hereto.

Pursuant to 807 KAR 5:001, Section 12, South Hopkins is HEREBY ORDERED to satisfy the matters complained of or to file a written answer to the complaint within 10 days from the date of service of this Order.

Should documents of any kind be filed with the Commission in the course of this proceeding, the documents shall also be served on all parties of record.

Done at Frankfort, Kentucky, this 18th day of October, 1993.

PUBLIC SERVICE COMMISSION

Se. E. I. Smith
Chairman

Robert M. Davis
Vice Chairman

Linda K. Breatthitt
Commissioner

ATTEST:

[Signature]
Executive Director

JOHN P. KIRKHAM
ATTORNEY AT LAW
1404 SOUTH VIRGINIA STREET
HOPKINSVILLE, KENTUCKY 42241

October 6, 1993

RECEIVED

OCT 07 1993

GENERAL COUNSEL

Hon. Lori H. Flannery
Staff Attorney
Commonwealth of Kentucky
Public Service Commission
730 Schenkel Lane
P.O. Box 615
Frankfort, KY 40602

RECEIVED

OCT 07 1993

PUBLIC SERVICE
COMMISSION

93-376

Re: Christian County Water District
Complaint and Protest Against
South Hopkins Water District

Dear Ms. Flannery:

As attorney for the Christian County Water District, I forward herewith to you a formal complaint and protest signed by the Christian County Water District with regard to the furnishing by South Hopkins Water District, service to two residents of Christian County by means believed by the Christian County Water District to be improper and in contravention of the Commission's order in case no. 90-220. Would you proceed to process this complaint and advise me if you need further information from the Christian County Water District in order to pursue and investigate this matter properly.

Thanking you, I am

Very truly yours,


John P. Kirkham

JPK:dn

RECEIVED

OCT 07 1993

**PUBLIC SERVICE
COMMISSION**

**COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION
730 Schenkel Lane
P.O. Box 615
Frankfort, KY 40602**

**COMPLAINT AND PROTEST ON BEHALF OF
CHRISTIAN COUNTY WATER DISTRICT**

**RE: SOUTH HOPKINS WATER DISTRICT;
Service to Bob Hamby and Wayne Hamby
Residents of Christian County, Kentucky**

COMES NOW the Christian County Water District, by C.D. Burkhead, Chairman, and files this protest and complaint against the South Hopkins Water District, and says that said District is furnishing service to two users, in contravention of the Commission's order in case no. 90-220.

The residents of Christian County who are receiving service are Bob Hamby and Wayne Hamby, who both live inside Christian County, Kentucky, and who are nearby and available to be served from the Christian County Water District lines constructed on Collins Bridge Road, running to the Hopkins County line.

The individuals involved do not own any property upon which the South Hopkins Water District has water lines. They have placed their meters respectively on property owned by Odell Hamby, a relative, who initiated a great

deal of the problems with respect to the dispute between South Hopkins and Christian County in 1990, who has given them each an easement to run water lines across his (Odell Hamby's) property, to property owned by each of the above named customers which is located in Christian County.

It is believed by the Christian County Water District that these acts are being conducted in contravention to the Commission's order, both the spirit and language thereof, as set out in case no. 90-220 and a formal protest and complaint is filed herein with the request that this matter be investigated by the Public Service Commission and a determination made whether an order to cease and desist should be entered against the South Hopkins Water District for furnishing service to the two meters for the above named individuals who owned no property in Hopkins County adjacent to the South Hopkins water lines and who are residents of Christian County, and to whom water is available from the Christian County lines on Collins Bridge Road.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'C.D. Burkhead', written over a horizontal line.

C.D. Burkhead
Chairman
Christian County Water District